

Felony ☒ JUDGE/Assigned Trial
 Minor Offense ☐ MAGISTRATE 8509
 Other Misdemeanor ☐ 1085 4 Disp./Sentence
 District Office 2-12-76

U. S. vs. WHITTEN, JAMES MERCER
 1100 E. Township Rd.
 Fayetteville, Ark. 72701
 PH: 501-521-5542 defendant

Case Filed
 Day Mo. Yr. Docket No. Def.
 11 11 75-CR-159 - 1
 No. of 1 *
 Defdnts

I. CHARGES

U. S. CODE SECTION
 18:1014

OFFENSES
 False Statement on Financial Statement 5

(\$5,000 &/or 2 Yrs.)

U.S. Attorney or Asst.:

Ben F. Baker, Asst.

Defense: ☐ CJA, ☒ Ret; ☐ Waived, ☐ Self, ☐ None ☐ Other, ☐ PD, ☐ CD

Phillip Breckinridge

500 West 7th

Tulsa, OK 74119 582-5141

MAGR.
 CASE NO.

BAIL • RELEASE

☐ Personal Recog.
 Denied ☐ Unsecured Bond
 AMT ☐ Conditional Release

Set (000) ☐ 10% Deposit

\$ 5 ☒ Surety Bond

11-11-75 ☐ Collateral

☐ Bail Not

Made ☐ 3rd Party

☐ Bail Status Changed ☐ Custody

(See Docket) ☐ PSA

ATTORNEYS

II. KEY INTERVALS & DATES

ARREST

12-1-75

U.S. Custody
 Began on Above
 Charges

☐ High Risk
 Defn. &
 Date Design'd

INDICTMENT ☒

Information ☐

11-11-75

Waived ☐

Superseding

☐ Indict/Info ☐

☐ Prosecution Deferred

ARRAIGNMENT

12-10-75

1st Plea

12-10-75

Final Plea

2-12-76

Trial Set For

☒ Not Guilty

☐ Nolo

☐ Not Guilty

☐ Nolo

☒ Guilty
 lesser offense

TRIAL

Voir Dire ☐

Trial Began ☐ J

☐ N

Trial Ended

SENTENCE

2-12-76

Disposition

☒ Convicted

☐ Acquitted

☐ Dismissed

☐ Nollo/Discontinued*

☒ On All Charges

☐ On Lesser*

☐ Offense(s)

☐ WOP; ☐ WP*

III. MAGISTRATE

Search Warrant	Issued	DATE	INITIAL/No.	INITIAL APPEARANCE	INITIAL/No.	OUTCOME
	Return			PRELIMINARY EXAMINATION OR REMOVAL HEARING		<input type="checkbox"/> Dismissed <input type="checkbox"/> Held for District GJ <input type="checkbox"/> Held to Answer to U. S. District Court AT: Magistrate's Initials
Summons	Issued			<input type="checkbox"/> Waived <input type="checkbox"/> Not Waived <input type="checkbox"/> Intervening Indictment		
	Served					
Arrest Warrant				Tape No.	INITIAL/No.	
COMPLAINT						
OFFENSE (In Complaint)						

* Show last names and suffix numbers of other defendants on same indictment/information

-1975-

DATE

PROCEEDINGS

V. Excludable Delay

(a) (b) (c) (d)

11-11 Record vote of the Grand Jury Concurring, fld in Open Ct. v

11-11 Indictment filed in Open Court. Bond set at \$5,000, C/S. v

11-12 Warrant issued. v

12-3-75 Appearance Bond in Amt. of \$5,000 (surety), filed. b

12-3-75 MO: Case set for arraignment & plea on 12-10-75, at 10:00 A.M. (AEB-J) b nts mld

12-9-75 Return on warrant for arrest, filed. Deft. arrested on 12-1-75, in Western District of Ark. b

12-10-75 Case called for arraignment. Deft. present & represented. Govt. represented. Deft. acknow. receipt of indict. & is advised of charge. Deft. arraigned & enters plea of NOT GUILTY to Cts. 1 thru 5. Case set for jury trial on 1-12-76, at 9:30 A.M. Deft. given 10 days to file motions & Govt. 5 days to respond. Deft. to remain on present bond and allowed to travel in Western Ark. & Eastern Ok. for business only. (AEB-J) b

12-23-75 MO: Case set for jury trial on 1-12-76, 9:30 A.M. (AEB-J) nts. mld. b

12-30-75 MO: Case set for change of plea on 1-7-76, at 9:30 A.M. (AEB-J) b nts mld

2

11-11-75

M

2

12-1-75

M

2

IV. MAGISTRATE & DISTRICT COURT DOCKET ENTRIES

DATE	IV. PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1-7-76	Case called for change of plea. Deft. present & represented. Govt. represented. Deft. waives jury; waiver signed & filed in open court. Case stricken from jury docket, to be re-set at later date for N/J trial. Deft. to remain on present bond.(AEB-J)b				
2-11	MO: Case set for change of plea on 2-12-76, at 10:00 A.M.(AEB-J)b nts by phone				
2-12	Case called for change of plea. Deft. present & represented. Govt. represented. Deft. placed under oath & w/draws plea of Not Guilty to Cts. 1-5 & enters plea of GUILTY to a lesser included offense in Cts. 1-5. Felony counts dismissed & Deft. adjudged GUILTY AS charged to Cts. 1-5, as to misdemeanors pursuant to T. 18, U.S.C. 1018. Deft. waives pre-sentence report. Deft. & co. asked if they have anything to say before sentence is pronounced. Judgment & Sentence - James Mercer Whitten Ct. 1 - Impos. of sent. suspended & Deft. placed on probation for period of forty (40) months. Deft. to pay back \$1,939.25 w/in 36 months. Ct. 2-5-Impos. of sent. suspended & Deft. placed on probation for period of forty (40) months, to run concurrently w/sent. imposed in Ct. 1, as to each Ct. 1 thru 5. Bond exonerated.(AEB-J)b				
2-12	Judgment & Order of Probation, filed & entered.(AEB-J)				
2-12	Two c/c of J & O of P to probation. b				
11-8	Report and Order Terminating Probation Prior to Original Expiration Date, filed. (AEB-J)v -cps. mld.				

LETTER CODES

For Identifying Periods of Excludable Delay Per 18 U.S.C. 3161(h)

A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).

B. NARA Examination (28 U.S.C. 2902).

C. State or Federal trials on other charges.

D. Interlocutory Appeals.

E. Hearings on pretrial motions.

F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).

G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h)(1)(G).

H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.

I. Prosecution deferred by mutual agreement.

M. Unavailability of defendant or essential witness.

N. Period of mental or physical incompetence of defendant to stand trial.

O. Period of NARA Commitment or Treatment.

P. Superseding Indictment and/or new charges.

R. Defendant awaiting trial of Co-defendant when no severance has been granted.

T. Continuances Granted per 3161(h)(8) (i.e. ends of justice or complexity of case outweighs defendant's interests).

U. Time between guilty plea and plea withdrawal.

V. Time while moving prisoners from state institutions per transfer/detainer procedure.

W. Grand Jury indictment extended per 3161 (b).

Y. Any delay excluded by court order for reasons not included above.

(a) Interval (per Section II)

(b) Start Date End Date

(c) Ltr. Code

(d) Total Days